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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mark N. Wain

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EXAMINER

CHOU, ANDREW Y

ART UNIT

PAPER NUMBER

2192

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/619,128	Applicant(s) WAIN ET AL.	
	Examiner Andrew Y. Chou	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/14/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-38 have been examined. Claims 1, 27, 34, 36, and 38 are independent claims. The priority date recognized for this application is 07/14/2003.

Information Disclosure Statement

2. The Office acknowledges receipt of the Information Disclosure Statement filed on 07/14/2003. It has been placed in the application file and the information referred to therein has been considered by the examiner

Oath/Declaration

3. The Office acknowledges receipt of a properly signed oath/declaration filed on 07/14/2003.

Claim Rejections - 35 USC § 101

4. Claims 22-26 and 34-37 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

Claims 22-26 and 34-37 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

Claims 22-26 and 34-37 are rejected under 35 U.S.C 101 because the claimed invention recites "a computer-readable medium" defined to include "communication media" which includes wireless transmission media as mentioned in page 6, lines 4-19 of the applicant's specification. Thus, under the Interim Guidelines such media do not fall within one of the four statutory classes of 35 U.S.C 101 Annex IV (c). Therefore, the above claim is non-statutory. For further information, see Interim Guidelines for

Examination of Patent Application for Patent Subject Matter Eligibility (signed
26Oct2005) –OG

Cite: 1300 OG 142.

<<http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>>

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-38 are rejected under 35 U.S.C 102(a) as being unpatentable over Carroll, JR. US 2006/0015847 A1 (hereinafter Carroll).

Claim 1:

Carroll discloses a method for designing an application, comprising:

- (a) receiving metadata and a policy (see for example FIG. 1, and related text) ;
- (b) dynamically constructing a user-interface in accordance with the policy (see for example FIG. 2, and related text);

and

- (c) creating the application through the user-interface (see for example page 3, [0045]).

Claim 2:

Carroll further discloses the method of claim 1, wherein the user interface supports a design surface with a toolbox and wherein the toolbox has a plurality of available components (see for example page 3, [0048]).

Claim 3:

Carroll further discloses the method of claim 2, wherein (c) comprises:

- (i) creating a representation of the application, the representation having a stage, the stage having at least one component selected from the plurality of available components of the toolbox (see for example page 5, [0099], "User Interface Component").

Claim 4:

Carroll further discloses the method of claim 2, wherein (c) comprises:

- (i) creating a representation of the application, the representation having a stage (see for example FIG. 22, and related text).

Claim 5:

Carroll further discloses the method of claim 3, wherein the representation is displayed in a graphical format (see for example FIG. 1, FIG. 22, and related text).

Claim 6:

Carroll further discloses the method of claim 1, wherein (c) comprises:

- (i) creating a representation of the application, the representation having a stage, the stage having at least one component (see for example page 5, [0099], "User Interface Component").

Claim 7:

Carroll further discloses the method of claim 6, wherein (b) comprises:

- (i) categorizing each component to one of a plurality of stages (see for example page 5, [0099], "User Interface Component").

Claim 8:

Carroll further discloses the method of claim 6, wherein the stage includes a first component and a second component, and wherein (b) comprises:

- (i) determining an ordering of the first component and the second component (see for example, page 6, [0115], "hierarchy of components").

Claim 9:

Carroll further discloses the method of claim 6, wherein (b) comprises:

- (i) determining a cardinality of the stage (see for example page 6, [0123]).

Claim 10:

Carroll further discloses the method of claim 6, wherein one of the at least one component is associated with a plurality of properties (see for example page 7, [0132]).

Claim 11:

Carroll further discloses the method of claim 10, wherein (c) further comprises:

- (ii) selecting one of the plurality of properties (see for example page 7, [0133], [0134], [0135], FIG. 9, and related text).

Claim 12:

Carroll further discloses the method of claim 6, wherein (b) comprises:

- (i) discovering the at least one component that resides on a computer, the

computer supporting the user-interface (see for example page 7, [0137]).

Claim 13:

Carroll further discloses the method of claim 6, wherein (c) further comprises:

- (ii) compiling the representation of the application in concert with the policy (see for example page 5, [0113]).

Claim 14:

Carroll further discloses the method of claim 13, wherein the representation of the application is expressed as an extensible markup language (XML) file (see for example page 6, [0115], FIG. 1, and related text).

Claim 15:

Carroll further discloses the method of claim 13, wherein (c) further comprises:

- (iii) in response to (ii), executing a plurality of computer-executable instructions (see for example FIG. 24, item 112, and related text).

Claim 16:

Carroll further discloses the method of claim 13, wherein (c) further comprises:

- (iii) determining whether an error exists in the representation (see for example pages 6-7, [0131], "syntax error").

Claim 17:

Carroll further discloses the method of claim 16, wherein (c) further comprises:

- (iv) in response to (iii), indicating a determined component and a determined stage corresponding to the error (see for example pages 6-7, [0131], "syntax error").

Claim 18:

Carroll further discloses the method of claim 6, wherein the stage is associated with a plurality of components, and wherein (c) further comprises:

- (ii) selecting a matched component from the plurality components, the matched component first matching a document being processed (see for example page 6, [0131]).

Claim 19:

Carroll further discloses the method of claim 6, wherein the stage is associated with a plurality of components, and wherein (c) further comprises:

- (ii) determining whether the plurality of components shall be sequentially ordered (see for example FIG. 3, and related text).

Claim 20:

Carroll further discloses the method of claim 1, wherein (c) comprises:

- (i) receiving a command from the user (see for example page 8, [0151] – [0160]):
- (ii) in response to (i), indicating whether the command corresponds to a permitted operation for manipulating a representation of the application (see for example page 8, [0151] – [0160]).

Claim 21:

Carroll further discloses the method of claim 1, wherein (a) comprises:

- (i) selecting the policy from a plurality of policies (see for example pages 8-9, [0164]).

Claim 22:

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Claim 22 is a computer-readable medium version of the claimed method step discussed in claim 1 above. Thus, accordingly, this claim would also be anticipated by Spivey.

Claim 23:

Claim 23 is a computer-readable medium version of the claimed method step discussed in claim 3 above. Thus, accordingly, this claim would also be anticipated by Spivey

Claim 24:

Claim 24 is a computer-readable medium version of the claimed method step discussed in claim 12 above. Thus, accordingly, this claim would also be anticipated by Spivey

Claim 25:

Claim 25 is a computer-readable medium version of the claimed method step discussed in claim 18 above. Thus, accordingly, this claim would also be anticipated by Spivey

Claim 26:

Claim 26 is a computer-readable medium version of the claimed method step discussed in claim 19 above. Thus, accordingly, this claim would also be anticipated by Spivey

Claim 27:

Carroll discloses a system (see for example FIG. 24, and related text) for designing an application, comprising:

a policy module that stores metadata, the metadata representing a set of rules that is associated with the application (see for example FIG. 24, item 106, "Interface Class Library", and related text);

a user-interface module that generates a design surface (see for example FIG. 24, item 104, " User Interface Definition (XML File)", and related text);

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a composition logic module that receives the metadata from the policy module and that restrains the design surface to be consistent with the metadata when displaying a representation of the application through the user-interface module (see for example Fig. 24, item 108, "Grammar File", and related text); and

an input module that receives a command from a user to manipulate the design surface and that updates the design surface, through the composition logic module, in accordance with the command (see for example FIG. 24, and item 114, "Application GUI Interface", and related text).

Claim 28:

Carroll further discloses the system of claim 27, wherein the user-interface module comprises a display interface to a video display device, the video display device showing the design surface to the user (see for example FIG. 24, item 114, "Application GUI Interface", and related text).

Claim 29:

Carroll further discloses the system of claim 27, further comprising:

a compiler module that is coupled to the policy module and that transforms the representation into a set of computer-executable instructions, the set of computer-executable instructions being consistent with the metadata contained in the policy module (see for example FIG. 24, item 112, "Parser", and related text).

Claim 30:

Carroll further discloses the system of claim 29, further comprising:

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an execution engine that executes the set of computer-executable instructions (see for example (see for example page 14, [0217], “development suite”).

Claim 31:

Carroll further discloses the system of claim 27, further comprising:

a memory that stores software (see for example page 4, [0091], “System Clipboard”), the software supporting a component, wherein the composition logic module discovers the component and provides a display indicator that is associated with the component.

Claim 32:

Carroll further discloses the system of claim 27, wherein the policy module (see for example FIG. 24, item 106, “Interface Class Library”, and related text) is co-located with the user- interface module (see for example FIG. 24, and related text).

Claim 33:

Carroll further discloses the system of claim 27, wherein the policy module is remotely located from the user-interface module (see for example FIG. 24, and related text).

Claim 34:

Carroll discloses a computer-readable medium having stored thereon a data structure, comprising:

- (a) a first data field that contains a first identifier (see for example page 5, [0109], “XML Entity”) for a first component, the first component being applicable for an application (see for example page 6, [0123], [0124]);
- (b) a second data field that contains a second identifier for a stage that is associated with the first component (see for example page 6, [0123], [0124]); and

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(c) a third data field that represents at least one property that is associated with the first component (see for example page 6, [0123], [0124]).

Claim 35:

Carroll further discloses the computer-readable medium of claim 34, further comprising:

(d) a fourth data field that contains another identifier for another component that is capable of being coupled to the first component (see for example page 6, [0123], [0124]).

Claim 36:

Carroll discloses a computer-readable medium having stored thereon a data structure (see for example page 7, [0139], lines 1-10), comprising:

(a) a first data field that contains a first identifier of a first stage for a user- interface (see for example FIG. 12, and related text);

(b) a second data field that contains a first indicator that indicates a first position of the first stage within a design surface (see for example page 8, [0145], FIG. 12, and related text);

(c) a third data field that contains another identifier of another stage for the user interface (see for example FIG. 12, and related text); and

(d) a fourth data field that contains another indicator that indicates a second position of the other stage within the design surface(see for example page 8, [0145], FIG. 12, and related text).

Claim 37:

Carroll further discloses the computer-readable medium of claim 36, further comprising:

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(e) a fifth data field that contains an processing indicator that indicates an ordering of a plurality of components that are associated with the first stage (see for example FIG. 12, and related text).

Claim 38:

Carroll discloses a method for designing an application, comprising:

(a) receiving metadata that is contained in a policy (see for example page 5, [0106],

"XML Document Type Definition (DTD)", page 6, [0123]);

(b) dynamically constructing a user-interface in accordance with the policy, the user-interface supporting a design surface and a toolbox with a plurality of available components (see for example page 3, [0048], FIG. 2, and related text);

(c) creating a representation of the application, the representation having at least one stage, each stage having at least one component selected from the plurality of available components by a user (see for example page 5, [0099], "User Interface Component");

(d) compiling the representation of the application in concert with the policy (see for example page 5, [0113]).

and

(e) in response to (d), executing a set of computer-executable instructions (see for example FIG. 24, item 112, and related text).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y. Chou whose telephone number is (571) 272-6829. The examiner can normally be reached on Monday-Friday, 8:00 am – 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached on (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

AYC



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SUPERVISORY PATENT EXAMINER